

House Bill 1018 (AS PASSED HOUSE AND SENATE)

By: Representatives Lewis of the 15<sup>th</sup>, O'Neal of the 146<sup>th</sup>, Greene of the 149<sup>th</sup>, Royal of the 171<sup>st</sup>, Hanner of the 148<sup>th</sup>, and others

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to provide for an exemption regarding the sale or use of biomass material utilized in the production of electrical power or the coproduction or cogeneration of electrical and steam power which is subsequently sold; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, is amended by striking "or" at the end of paragraph (81); by striking the period at the end of paragraph (82) and inserting in its place "; or"; and by adding a new paragraph immediately following paragraph (82), to be designated paragraph (83), to read as follows:

"(83)(A) The sale or use of biomass material, including pellets or other fuels derived from compressed, chipped, or shredded biomass material, utilized in the production of energy, including without limitation the production of electricity, steam, or the production of electricity and steam, which is subsequently sold.

(B) As used in this paragraph, the term 'biomass material' means organic matter, excluding fossil fuels, including agricultural crops, plants, trees, wood, wood wastes and residues, sawmill waste, sawdust, wood chips, bark chips, and forest thinning, harvesting, or clearing residues; wood waste from pallets or other wood demolition debris; peanut shells; pecan shells; cotton plants; corn stalks; and plant matter, including aquatic plants, grasses, stalks, vegetation, and residues, including hulls, shells, or cellulose containing fibers."

1 **SECTION 2.**

2 This Act shall become effective on July 1, 2006.

3 **SECTION 3.**

4 All laws and parts of laws in conflict with this Act are repealed.